

AMENDED IN SENATE MARCH 29, 2001

**SENATE BILL**

**No. 847**

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**Introduced by Senator Ackerman**

**(Coauthor: Senator Morrow)**

*(Coauthors: Assembly Members Bates, Bill Campbell, and Correa)*

February 23, 2001

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An act to amend Section 13540 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 847, as amended, Ackerman. Recycled water.

Existing law prohibits any person from constructing, maintaining, or using any waste well that extends into a subterranean water-bearing stratum that is used or intended to be used as a source of water supply for domestic purposes prior to a finding by the State Department of Health Services that the proposed recharge will not impair the quality of water in the receiving aquifer that is the source of domestic water supply.

This bill would require the State Department of Health Services to make a finding that the proposed recharge into the receiving aquifer, that is a source of domestic water supply, is protective of the public health *and will maintain or enhance overall water quality* prior to allowing the recycled water to be injected into the stratum. The bill would authorize the State Department of Health Services to order abatement of any condition that it determines to pose a threat to the public health.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 13540 of the Water Code is amended to  
2 read:  
3     13540.   No person shall construct, maintain or use any waste  
4 well extending to or into a subterranean water-bearing stratum that  
5 is used or intended to be used as, or is suitable for, a source of water  
6 supply for domestic purposes. Notwithstanding the foregoing,  
7 when a regional board finds that water quality considerations do  
8 not preclude controlled recharge of such stratum by direct  
9 injection, and when the State Department of Health Services,  
10 following a public hearing, finds the proposed recharge into a  
11 receiving aquifer that is a source of water supply for domestic  
12 purposes is protective of the public health *and will maintain or*  
13 *enhance overall water quality*, recycled water may be injected by  
14 a well into such stratum. The State Department of Health Services  
15 may make and enforce such regulations pertaining thereto as it  
16 deems proper and may order abatement of any condition that it  
17 determines to pose a threat to public health. Nothing in this section  
18 shall be construed to affect the authority of the state board or  
19 regional boards to prescribe and enforce requirements for such  
20 discharge.

